

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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FILED
DATE FILED: 7/9/21

In Re:

AHMED HUSAIN ZUBAIR,
Debtor,

AHMED HUSAIN ZUBAIR,
Appellant,

v.

FAY SERVICING, LLC, as servicing agent for
Wilmington Savings Fund Society, FSB, d/b/a
Christiana Trust, not individually but as trustee
for Hilldale Trust,

Appellee.

AHMED HUSAIN ZUBAIR,
Appellant,

v.

KRISTA M. PREUSS,
Appellee.

ORDER

20 CV 8829 (VB)

21 CV 4222 (VB)

7/9/21
Copies Mailed/Faxed
Vincent L. Briccetti

On July 7, 2021, appellant, who is proceeding pro se and in forma pauperis, filed an emergency motion for stay pending appeal and for temporary stay pending consideration of motion against order dismissing bankruptcy. (20 CV 88829 Doc. #22; 21 CV 4222 Doc #12).¹ In the motion, appellant states that on July 7, 2021, AmeriCredit Financial Services d/b/a GM Financial (“AmeriCredit”) threatened to repossess appellant’s car. (Doc. #22 ¶¶ 1,2). Appellant states that AmeriCredit has disregarded its agreements by rescinding the monthly payments contract in revenge for appellant’s bankruptcy filing. (Id.). Appellant “seeks emergency relief to stop repossession of [his] car and liquidation and or sale of [his] property at 90 Bruce Ave, Yonkers.” (Id. ¶ 16).

AmeriCredit is not a party to either of the above-captioned bankruptcy appeals. In addition, the Court notes that the caption of appellant’s “emergency motion,” names as “defendants” Fay Servicing, Bank of America, N.A., SN Servicing Corp, and US Bank Trust National Association. (Doc. #22). However, Bank of America, N.A., SN Servicing Corp, and

¹ Appellant’s motions are filed on the dockets for case numbers 20 CV 8829 and 21 CV 4222. Unless otherwise noted, references to “Doc. # ___” refer to the docket in case number 20 CV 8829, and “ECF ___” refers to page numbers automatically assigned by the Court’s Electronic Case Filing System.

US Bank Trust National Association are also not parties in either of the above-captioned bankruptcy appeals.

To the extent appellant's motion can be construed as requesting relief against any party in this bankruptcy appeal, appellees shall respond to appellant's motion by **July 16, 2021**.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to appellant.

Dated: July 9, 2021
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge